

**REPORT TO THE  
TWENTY-NINTH LEGISLATURE  
STATE OF HAWAII  
2020**

**SR26 SD1 – URGING RESTAURANTS TO DONATE ANY  
LEFTOVER FOOD AT THE END OF THEIR BUSINESS DAY  
AND URGING THE DEPARTMENT OF HEALTH TO DEVELOP  
AND DISSEMINATE TEMPERATURE CONTROLLED FOR  
SAFETY FOOD DONATION GUIDELINES**

**PREPARED BY:  
DEPARTMENT OF HEALTH  
STATE OF HAWAII**

**January 2020**

## EXECUTIVE SUMMARY

The Department of Health's (DOH) Sanitation Branch completed the Temperature Controlled for Safety Food Donation Guideline on July 17, 2019.

As you may know, the DOH's Sanitation Branch cannot be involved in the actual practice of "urging" the regulated community to donate their leftover food. The Sanitation Branch staff role is law enforcement, which empowers staff with the ability to immediately close food establishments (FE) for violations of HAR or HRS by posting a Red Placard and/or drafting legal notice of violations to levy very large fines upon FE's that may amount to hundreds of thousands of dollars. That being stated, any suggestion to the regulated community to donate food to the homeless may be taken as an order and the FE's may feel pressured to incur unwanted additional costs to do so.

The DOH has begun to disseminate the attached document.